



STATE OF WASHINGTON

DEPARTMENT OF COMMERCE

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November 13, 2017

Ms. Paula Reeves
Planning Manager
615 W Alder Street Building #8
Post Office Box 186
Shelton, Washington 98584

RE: Proposed amendment to update the Mason County 2016-2036 Comprehensive Plan and Development Regulations

Dear Ms. Reeves:

Thank you for sending Growth Management Services the proposed amendments to Mason County's comprehensive plan and development regulations that we received on September 12, 2017 and processed with Material ID No. 24111.

We especially like the following:

The section(s) on parks is well done and very informative.

We have some suggestions for strengthening your plan and development regulation amendments that we encourage you to consider either in these or future amendments:

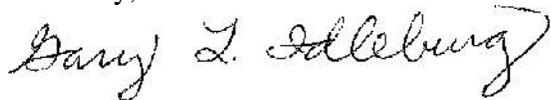
- The main body of the comprehensive plan would be helped by adding two summary sheets; one depicting internal consistencies with your own county code and one depicting consistencies with the Growth Management Act and County-wide Planning Policies.
- Tables that summarize existing inventories and forecasts of future needs of all capital facilities would also be very helpful.
- A summary level of service (LOS) table in the capital facilities section (cross referenced with transportation) that depicts/compares (minimum) required LOS and current or actual LOS would be helpful.

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- A draft motion or resolution that shows intention to adopt your final docket proposals and summarizes their impact(s) on your comprehensive plan, future land use and zoning should be submitted as soon as practicable.

Congratulations to you and your staff for the good work these amendments represent. If you have any questions or concerns about our comments or any other growth management issues, please contact me at 360.725.3045. We extend our continued support to Mason County in achieving the goals of growth management.

Sincerely,



Gary Idleburg
Senior Planner
Growth Management Services

GI:lw

cc: Mark McCaskill, AICP, Managing Director, Growth Management Services
David Andersen, AICP, Eastern Region Manager, Growth Management Services
Ike Nwankwo, Western Region Manager, Growth Management Services

Table 1. Crosswalk - Countywide Planning Policies and Comprehensive Plan Chapter

Comprehensive Plan Element	Development Regulations	Countywide Planning Policy Statement
Chapter 3 Land Use	MCC 17.07; 17.10-17.17; 17.20-17.35; 17.70	Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.
Chapter 3 Land Use	MCC 17.02; 17.05; 17.70; 17.90	Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.
Chapter 8 Transportation	MCC Title 12	Encourage efficient multimodal transportation systems that are based on regional priorities and coordinated with county and city comprehensive plans.
Chapter 5 Housing	MCC 17.11; 17.90	Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.
Chapter 10 Economic Development	MCC 2.78; 17.07; 17.24	Encourage economic development throughout the state that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this state, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and encourage growth in areas experiencing insufficient economic growth, all within the capacities of the state's natural resources, public services, and public facilities.
Chapter 3 Land Use	MCC 17.01	Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.
Chapter 3 Land Use & Chapter 10 Economic Development	MCC 15.05	Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.
Chapter 4 Rural	MCC 8.52; 17.02	Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forestlands and productive agricultural lands, and discourage incompatible uses.
Chapter 3 Land Use, 4 Rural, 9 Parks	MCC 16.23; 17.07; 17.10; 17.26	Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.
Chapter 3 Land Use & Chapter 4 Rural	MCC 8.52 Resource Ordinance/Shorlines	Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.
See Public Involvement Plan	MCC 15.09.060	Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.
Chapter 7 Utilities	MCC Title 13, Title 6	Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service levels below locally established minimum standards.
Chapter 3 Land Use	MCC 17.40	Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance.

Mason County Comprehensive Plan Inventories & Forecasts

2016-2036 Comprehensive Plan Update

All Inventory and Forecast Maps are available on Mason County website: <https://gis.co.mason.wa.us/planning/>



GIS Data Layer	Description	Source	Date	Website/Additional Information
Critical Areas, Biology & Habitat	Shoreline Environmental Designations	Mason Co	2016	*See also Critical Areas Ordinance/Shoreline Master Program
	National Wetland Inventory	USFWS	2016	https://www.fws.gov/wetlands/Data/Data-Download.html
	FEMA Floodplain	FEMA	2016	http://arcg.is/1uHb81
	Geology and Earth Resources	WDNR, Mason Co.	Varies	https://www.dnr.wa.gov/programs-and-services/geology/geologic-hazards/geologic-hazard-maps
	Olympic National Forest	USFS	2016	
	Critical Aquifer Recharge Areas	Mason Co	2011	
	Riparian Buffers	DNR & ECY	2016	http://arcg.is/1b0G1P
	Priority Species and Habitat	Fish & Wildlife	Varies	http://wdfw.wa.gov/conservation/phs/
Water and Wastewater Resources	Water Courses	WDNR	2016	
	Watershed Characterization Results	Ecology	2010	http://www.ecy.wa.gov/biblio/1006014.html
	Water Mitigation Map	Ecology	2017	http://www.ecy.wa.gov/programs/wr/rights/domwtravail.html
	Wastewater Systems	Mason Co	2016	
	Potable Water Systems	PUD 1 & Mason Co	2016	
	Critical Aquifer Recharge Areas	Mason Co	2011	
Resource Lands	Exempt Wells	Ecology	2016	http://www.ecy.wa.gov/services/gis/data/image.asp?name=wellreport
	Mineral Resource Lands	WDNR	2010	https://www.dnr.wa.gov/programs-and-services/geology/publications-and-data/gis-data-and-databases
	Long Term Commercial Forests	Mason Co	2016	
	Agricultural Lands	Mason Co	2016	
	Conservation Lands	Mason Co	2016	
Zoning & Land Use	Aquaculture	Health	2016	https://www.doh.wa.gov/DataandStatisticalReports/DataSystems/GeographicInformationSystem/DownloadableDataSets
	Development Areas	Mason Co	2016	4 separate layers - each UGA developed their own zoning codes etc.
	Parcels - Zoning and Land Use	Mason Co	2016	Assessors Office Records and GIS Data
	Parks and Recreation Inventory	Mason Co	2016	Includes Open Space
	Ports & Properties	Ports	2016	
	Schools & School Sites	School Districts	2016	
	Rural Activity Centers	Mason Co	2016	
	Future Land Use Map	Mason Co	2016	
Utilities	Stormwater Facilities	Mason Co	2010	
	Telecommunications Systems	PUD 3	2016	
	Mason County Pipelines	WUTC	Unknown	https://arcg.is/0DqynS
Transportation	Updated regularly	Mason Co	2016	
	Updated regularly	WSDOT	2016	http://www.wsdot.wa.gov/mapsdata/geodatacatalog/Maps/24k/DOT_Carto
	Trails	Mason Co	2015	



**Washington State
Department of Transportation**

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November 9, 2017

Ms. Paula Reeves
Planning Manager
Community Development
Mason County
411 N. 5th Street
Shelton, WA 98584

RE: Mason County Proposed Comprehensive Plan Amendment #24111

Dear Ms. Reeves:

Thank you for allowing the Olympic Region of the Washington State Department of Transportation (WSDOT) the opportunity to review and comment on the proposed Comprehensive Plan Amendment. We appreciate the opportunity to review these documents. The following comments are provided for your consideration as the County completes its update.

Page 28 of 30, 9. Open Space & Recreation, 126: An environmental impact statement for the Belfair Bypass mentions providing an 8-ft shoulder for shared bicycle use, not a parallel bicycle-pedestrian trail.

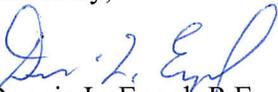
On page 21 of 30, 3. Transportation, 37 mentions working to secure construction funding for the Belfair Bypass so that it is operational no later than 2022. Current schedule has Belfair Bypass complete in spring 2025.

The plan is missing existing and future Level-of-Service maps for state highway facilities to gauge the performance of the system per RCW 47.06 and RCW 47.80. Forecasts must be at least ten years, based upon the adopted land use plan. It would also be helpful to show the Shelton and Belfair Urban Growth Areas.

Ms. Reeves
November 9, 2017
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Again, we thank you for the opportunity to review and comment on the proposed amendment. If you have any questions related to this letter please contact Nazmul Alam of my office at (360) 704-3207.

Sincerely,



Dennis L. Engel, P.E.
Multimodal Planning Manager

DE:yl
NA

cc: Ike Nwankwo, Commerce
Anne Fritzel, Commerce
Debbie Clemen, PRTPO



MASON COUNTY COMMUNITY SERVICES

Building, Planning, Environmental Health, Community Health

November 20, 2017

Andy Whitener
Director, Natural Resources
Squaxin Island Tribe
200 SE Billy Frank, Jr. Way
Shelton, WA 98584

RE: Mason County Comprehensive Plan Update – Squaxin Island Tribe Comments

Dear Mr. ~~Whitener~~ –

Thank you for sharing your comments and questions related to the Mason County Comprehensive Plan Update as well as your other comments related to our internal operating procedures. We have appreciated the involvement from the Squaxin Island Tribal Nation throughout the Comprehensive Plan update process. We will be conducting a Comprehensive Water Plan in 2018 and hope to get the Memorandum of Understanding (MOU) in place soon based on the draft we sent you to ensure a coordinated effort moving forward. Our goal is to maximize resources and continue to build on current efforts to improve water quality, increase conservation and mitigation, and improve development review processes. Mason County also has a goal of maintaining affordable housing and we are concerned about any potential impacts these new regulations may have to the cost of housing.

In reference to the MOU, we are completely open to discussion and modification of the draft. We also appreciate your input on the first draft Water Planning Framework. The MOU and the draft Framework, as presented, are a starting point for discussion. We received no feedback on the MOU which seems to imply that the tribe is disinclined to participate in a partnership in a meaningful way. You may recall the Tribe asked for a letter of support from us in August for a grant application for additional water studies. I was happy to provide such a letter, but the timeline was too short to get necessary approvals through the County processes. I bring this forward as an example of my commitment to collaboration. I reiterate that it is my sincere hope to establish an MOU and work in earnest to meet the needs of the citizens of Mason County.

Regarding specific comments related to the Comprehensive Plan submitted by the Squaxin Island Tribal Nation, while the 2017 Docket of Amendments does not include an item related to water adequacy, this does not mean your comments or comments by other members of the public will be left un-addressed.

My staff have been working to address and integrate public comments we received on the Comprehensive Plan and Development Regulations that will be heard by the Board of County Commissioners on December 5th, 2017.

Additionally, Mason County revisits the Comprehensive Plan and Development Regulations each year. We produce a docket of amendments requested by external stakeholders, citizens, as well as County initiatives. This is outlined in Mason County Code 15.09.060 and consistent with the Growth Management Act. We welcome your input through this process. Please visit our website for additional detail:

<http://www.co.mason.wa.us/community-services/planning/planning-amendment.php>

Regarding your comments related to Mason County's internal operating procedures, we have developed and are implementing new procedures, *2017 DRAFT Guidelines for Determining Water Availability for Buildings and Subdivisions*.

The Attachments to this letter address your specific comments and questions related to those items you have labeled as "**Recommended fixes**" in your October 6th letter and "**Summary of Deficiencies**" in your November 6th letter. If after reading our responses, you have other questions or would like to discuss the MOU or Water Planning Framework, please feel free to follow up with me or my staff, Paula Reeves, Planning Manager, at 360-427-9670 extension 286.

Sincerely,



David Windom, MSHS, Director
Mason County Community Services Department

615 W Alder St. Building 8
Shelton, WA 98584

Direct Dial Line: [360-427-9670](tel:360-427-9670) Ext 260

Fax: [360-427-7798](tel:360-427-7798)

Email: dwindom@co.mason.wa.us

Attachment – Mason County Responses to “Recommended Fixes” – Letter Dated 10/6/2017

Recommended fixes to the County’s Water Adequacy Regulations (MCC 6.68)

Question/Comment #1:

Legal availability (non-interference with senior rights) must apply to all permit-exempt wells (e.g., subdivision approvals, wells serving more than one party), not just individual wells that serve single family homes.

Mason County Code 6.68 has been revised to reflect this. See attached code revisions.

Question/Comment #2:

Regulatory exemptions should not include building modifications/additions that will result in more water being used.

Mason County Code 6.68 has been revised to reflect this. See attached code revisions.

Question/Comment #3:

The "extreme hardship" waiver should be narrowed (or eliminated) so that it can't be used to allow permit-exempt wells to interfere with senior rights.

Mason County Code 6.68 has been revised to reflect this. See attached code revisions.

Question/Comment #4:

There needs to be a process for the County to evaluate an applicant's evidence on whether pumping groundwater will impact senior instream flows, and for making a finding that water is or is not available or is available if certain conditions are met.

This process is outlined in the ***2017 DRAFT Mason County Guidelines for Determining Water Availability for Buildings and Subdivisions.***

Question/Comment #5:

The regulations should require meters for all permit-exempt wells in basins subject to instream flows and/or closures ("compromised basin"). (Attached to this letter is an article that shows how meters not only provide critical information about basin water use and mitigation, but also result in conservation.)

While water metering would provide additional data, accurate estimations of water use are also currently available. The County and State use the EPA Design Manual for Wastewater Treatment and Disposal estimation of 45 gpd per person. For septic system design, an additional margin of 25% is added for 60 gpd. Washington assumes two people per bedroom for design giving a result of 120 gpd per bedroom resulting in a septic system design capacity of 240 gallons for a minimum home size of two bedrooms, 360 gallons for a three bedroom and so on. For actual domestic water consumption, we can estimate 60 gpd per person and an average residential occupancy of 2.57 persons per dwelling resulting in 154.20 gpd per full time occupied dwelling. Please remember that 28% of dwellings in Mason County are seasonally occupied.

Question/Comment #6:

The regulations should have provisions that shift the burden from the landowner proving noninterference with senior rights, to the County, where the County has developed mitigation packages; and that set the process for a landowner using such mitigation.

Mitigation options are outlined in the **2017 DRAFT Mason County Guidelines for Determining Water Availability for Buildings and Subdivisions**.

***Note: Code revisions discussed in this section will be proposed as part of the Comprehensive Plan Update in response to public comment.**

Recommended Fixes on Water Planning Framework

Question/Comment #7:

The framework currently lacks sufficient detail, however, to ensure that the needed changes will actually occur. Also, there is excessive use of qualifying language such as including "possible" provisions for mitigation planning and mitigation; stating that groundwater and surface water are "possibly" connected (when evidence shows that there generally is a connection).

The DRAFT Water Mitigation Planning Framework was intended as a starting point and outline for dialog leading to some agreed upon next steps. It was not intended to contain details, but provide the public background and an opportunity to help develop the Plan.

Question/Comment #8:

The Tribe takes issue with categorizing pervious surfaces, Low Impact Development features, and stormwater management as "mitigation". Mitigation means offsetting the impacts of pumping groundwater on streamflow. Pervious surfaces, LID features and stormwater management are important activities that help sustain the natural hydrologic system, but do not necessarily offset the impacts of pumping groundwater.

Mason County disagrees with this statement that stormwater management is not mitigation that can be used to offset the impacts of pumping groundwater on streamflow, and points to a growing body of research. See the attached Lit Review.

Question/Comment #9:

Erica Marbet is working with you to correct Ecology's map.

Mason County received the DRAFT Water Mitigation Planning Map from Washington State Department of Ecology and will work with Ecology to correct this map.

Question/Comment #10:

Included in the list of legal requirements should be RCW 58.17.110, the Subdivision Code's water availability requirement.

Noted and corrected.

Other Comments on Mason County Operating Procedures (not related to Comprehensive Plan):

Question/Comment #11:

If the proposed well is located in a basin with a stream subject to closures and/or instream flows, the form should request information about estimated water use (potable and non-potable, indoor and outdoor) throughout the year.

Noted and procedures addressing this comment are included in **2017 DRAFT Mason County Guidelines for Determining Water Availability for Buildings and Subdivisions.**

Question/Comment #12:

If the County has not yet developed a mitigation package for that basin, the form should request that the landowner: (1) state whether the groundwater source is or is not in likely hydraulic continuity with the stream; (2) state whether the amount of water desired will be legally available each month of the year; and (3) provide support for those statements.

Noted and procedures addressing this comment are included in **2017 DRAFT Mason County Guidelines for Determining Water Availability for Buildings and Subdivisions.**

Question/Comment #13:

For proposed development relying on permit-exempt wells in areas outside the UGA, the threshold question is whether it is inside or outside of a compromised basin. If it is within one, then the next question is whether there is a groundwater model for that basin that can be used to develop mitigation.

Noted and procedures addressing this comment are included in **2017 DRAFT Mason County Guidelines for Determining Water Availability for Buildings and Subdivisions.**

Question/Comment #14:

In all cases, the County should require meters and impose and/or make available water conserving measures such as rain harvesting, stormwater treatment and re-infiltration to groundwater, and low flow fixtures and appliances. These actions will help ensure long term sustainable growth in Mason County.

See response to Question/Comment #5. Note: rain harvesting, and re-infiltration is stormwater management. Noted and procedures addressing this comment are included in **2017 DRAFT Mason County Guidelines for Determining Water Availability for Buildings and Subdivisions.**

Question/Comment #15:

Where a groundwater model exists, the County would inform the applicant as to whether his or her well would contribute to a cumulative impact for which the County has created a mitigation package, and explain how the applicant takes advantage of the mitigation.

Noted and procedures addressing this comment are included in **2017 DRAFT Mason County Guidelines for Determining Water Availability for Buildings and Subdivisions**. Any groundwater model used for this purpose must be adopted by Mason County Board of County Commissioners.

Mason County's feedback on the Groundwater Model presented at the Conservation District on April 12, 2017:

- The groundwater model as presented uses an incomplete set of variables including variables where current data exists as follows:
 - marine outflows
 - septic recharge
 - influences of development on topography
 - underground topography including perched water tables, aquitards, well depths in relation to aquitards and aquifers, and direction and rate of water flows
- Part-time occupancy of 28% or greater of dwellings in Mason County was not accounted for.
- There is a margin of error in the range of 3-4% making it questionable for use in land use decision making.

Question/Comment #16:

In basins lacking a model, the County should create interim sub-basin by sub-basin mitigation packages based on projected water use on buildable lands. The County can refine the mitigation packages once the model is in place.

Noted and procedures addressing this comment are included in **2017 DRAFT Mason County Guidelines for Determining Water Availability for Buildings and Subdivisions**. Any groundwater model used for this purpose must be adopted by Mason County Board of County Commissioners.

Question/Comment #17:

Until the County devises mitigation packages, the burden remains on the individual landowner to make an impacts analysis and mitigate.

Noted and procedures addressing this comment are included in **2017 DRAFT Mason County Guidelines for Determining Water Availability for Buildings and Subdivisions**.

Mason County Responses to “Summary of Deficiencies” – Letter Dated 11/6/2017

Question/Comment #1:

The draft plan does not reflect the reality, as recognized by the Washington Department of Ecology, that much of the water in WRIA 14 and 15 basins has already been spoken for due to senior instream flows and closures and thus is not legally available year-round. The plan fails to describe this problem and offer concrete measures to ensure that rural development will occur where water is legally available, or towards mitigation that will allow proposed development to proceed in the compromised basins. The draft does not anticipate using the existing groundwater model or future models towards this end. It also fails to acknowledge a process for the County’s inquiring into the legal availability of groundwater before it approves development, and basically perpetuates the County’s longstanding presumption that water is legally available everywhere.

We believe we have addressed these concerns in revisions to the Comprehensive Plan, **Chapter 7 Utilities Element**. We have also consistently referenced partnership with the Tribes and others to conduct studies and strengthen the modeling of water availability as part of the MOU and *Water Planning Framework*. Much of the language of the *Water Planning Framework* has been included in the Comprehensive Plan. Mason County recognizes that water planning is evolving and changing, and we will continue to revise and update this document as resources permit.

Question/Comment #2:

Chapter 1: Citizen’s Guide. The Tribe takes issue with the plan’s statement on p. 8:

By design, on-site sewage systems, also known as septic systems, naturally recycle wastewater by recharging ground water. To ensure on-site sewage systems are treating waste effectively and not polluting the ground water, there must be a strong commitment to regular and ongoing monitoring to ensure these systems are working properly.

Often on-site septic systems are more of a vulnerability than an asset to water recycling and safe shellfish harvests. This is because the County currently lacks a fully staffed on-site septic system and water quality sampling program.

Mason County agrees that a robust and fully staffed water quality sampling program is critical and has in the past six months hired new staff and committed additional resources to this effort. We do not believe on-site septic systems to be the solution to water recycling, but see it as one of many parts of a larger system. In short, we agree with your comment, and believe this paragraph to be consistent with your comment. If you would like to suggest specific wording revisions, we would be interested in understanding what particular language was offensive.

Question/Comment #3:

Chapter 2: Countywide Planning Policies & Objectives. While draft Planning Policies 2.1 and 10.2 paraphrase state statutes concerning water availability and development's compatibility with fish habitat and surface flows, there are no concrete measures to accomplish these policies. Also, it is unclear why Planning Policy 2.1, which relates to fish habitat and protecting surface water flows, is under the heading of "Reduce Sprawl".

- 2.1** Rural areas now exist throughout Mason County and contribute to a large measure of the quality of life enjoyed by residents. These areas are characterized by low housing densities, wilderness and recreational living opportunities, and open space. Other rural qualities include tranquility, low traffic volumes, natural views, privacy, and rural enterprise. Intensive development will be discouraged in these rural areas due to the difficulty of providing cost-effective services, or because the disappearance of rural areas from the landscape would impact the character of the county. Rural areas of Mason County should be designated as such and protected from encroachment by intensive development. Rural area land use development and accompanying water use shall be compatible with fish habitat, and consistent with protection of natural surface water flows and groundwater recharge. Rural areas include those portions of the County that lie outside designated growth areas, master planned communities, and destination resorts, and may have lower standards of infrastructure and service that reflect and maintain this rural character.
- 10.2** Mason County and the cities therein shall protect drinking water supplies from contamination, ensure that water for development is both legally and physically available, and identify and reserve future supplies.

These (2.1 and 10.2) are policy statements that were adopted by Mason County and partner organizations as part of the Countywide Planning Policies. These policies have been largely unchanged since Mason County originally adopted its Comprehensive Plan in 1996. They follow the requirements of RCW 36.70A.210. They correspond to the 13 goals outlined in the Growth Management Act (GMA) in RCW 36.70A.020. It is common to see these policies remain in place in jurisdictions throughout Washington for decades as they are overarching policies mandated by GMA that impact the City, all parts of Mason County and the Special Districts within the County.

Starting on Page 17 of Chapter 2, you will find objectives and procedures that support each of the policies. These have been revised in 2005 and again in 2016.

Question/Comment #4:

Chapter 3: Land Use Element. Table 1 (p. 6) projects a 22% increase in Mason County's rural population growth (10,140 people) from 2016-2036 (as does Table 1 in the Rural Element), but Table 14 (p. 21) states that this growth will be comprised of 9,140 additional people (a 43% increase in share of the total population). There appears to be a 1,000 person discrepancy.

The numbers in Table 1 and Table 4 are consistent. In Table 14, the estimated 1,000 persons will choose to locate in the Rural Activity Centers. These are still in unincorporated rural county, but have access to water systems for the most part.

Question/Comment #5:

Table 7 (p. 13) shows that this growth will occur on 387,300 acres of rural lands that comprise 63% of the County's land area. Assuming a 22% increase in population is inconsistent with the need to provide legally available water, particularly with a lack of water systems available to serve the rural area, or specific steps to implement mitigation through conservation and other measures.

The population growth numbers used in Mason County's Comprehensive Plan Update have been provided by the State Office of Financial Management and City of Shelton forecasts conducted for their Comprehensive Plan. As you know, Mason County has no authority or ability to impact population growth. However, we are planning for the expected growth. The assumptions made do not include inconsistency with the need to provide legally available water. Mason County fully understands the legal requirements and is working diligently to continue to develop more and better mitigation strategies, including conservation and other measures. We continue to hope for a partnership with the Tribal Nations to build a shared understanding and agreed upon solutions over the 20 year planning period.

Question/Comment #6:

Table 15 (p. 22) indicates that from 2000-2014, the County's rural areas experienced between 74-78% of its population growth. It is unclear why the County predicts a drop in growth from 74-78% to 43% (Table 1). Please be aware that this past growth has occurred, to our knowledge, without any inquiry by the County as to whether groundwater was legally available without harming senior instream flows.

Table 15 shows the share of the total growth in population. In other words, of the total growth in population in Mason County between 2000 and 2005, 74% of it occurred in unincorporated Mason County including activity centers. The projection over the next 20 years is that fewer people choose to locate in unincorporated Mason County (47% vs. 74%) and more choose to locate in Belfair, Allyn, Shelton. This trend is consistent with other parts of the region and with a move to urban areas in general. It can be attributed to a number of factors including affordable housing options, transportation connectivity, employment, and growth management policies in general. Water availability may also be a factor. More study including a survey would be necessary to precisely understand statistically significant factors.

Question/Comment #7:

On p. 21 and numerous other pages, the County refers to a “series of maps” located online in the Mason County Planning Map Library. There is a layer that classifies basins by possible requirements for mitigation, but is inconsistent with WAC 173-514 and 073-515 rules because it does not indicate all streams that are subject to instream flows and/or closures.

Mason County received this map layer from Washington State Department of Ecology and is working to correct and validate the maps at this time. The accuracy and reliability of the GIS mapping data will continue to improve as resources become available.

Question/Comment #8:

Chapter 4: Rural Element. Page 15 of the Rural Element conveys the erroneous notion that applicants can show a lawful and adequate water supply simply by using a permit-exempt well. Permit-exempt well users have no right to use groundwater if the use interferes with senior instream rights, whether those senior rights are consumptive rights or instream flows set by rule. The plan’s statement is also inconsistent with Planning Policy 10.2 (Chapter 2, above), which states that the County will ensure that water for development is both legally and physically available.

Moreover, statements on this page leave the reader with the incorrect impression that the County has no role in finding water availability because the state bears the entire burden. The plan needs to explain the county’s obligations under state statutes, as reinforced by the Hirst decision. These are, in essence, matching growth and densities with available water resources, and ensuring that groundwater is legally available before approving development.

Noted and corrected. - Pursuant to RCW 19.27.097 and RCW 58.17.110, Mason County legally cannot issue a permit for a building requiring potable water or approve subdivision applications unless the applicant has a lawful and adequate water supply. Typically, the applicant provides a letter of availability from a public water source such as PUD or otherwise demonstrates that they will not interfere with senior water rights.

Collaborative water planning is underway in Mason County to ensure compliance with state laws and maximize water conservation, reuse, and recycling. See Mason County Comprehensive Plan, Chapter 7 – Utilities, for additional detail.

Watersheds

Land use and land planning is also organized by watersheds. Mason County includes seven watersheds: Case Inlet, Chehalis, Hood Canal, Lower Hood Canal, Oakland Bay, Skokomish, and Totten-Little Skookum. Drainage patterns determine the boundaries of watersheds.

Watershed management plans or action plans have been adopted for three watersheds: Totten-Little Skookum, Oakland Bay, and Lower Hood Canal. Sub-area plans were developed for North Mason County (the Lower Hood Canal), South-East Mason County (the Totten-Little Skookum), and Harstine Island (part of the Totten-Little Skookum). The watershed plans were developed in cooperation with adjoining counties that shared the watershed, the Indian Tribes, state agencies and the public, under the guidance of the Puget Sound Water Quality Authority. Information from these plans and goals and policies developed for them have been used in developing the Comprehensive Plan, its policies, and its implementing regulations.

Question/Comment #9:

The Rural Element also has an incorrect and partial list of instream flows with the wrong date of rule adoption. Please refer to the WRIA 14 rule, WAC Ch. 173-514 for a complete list of streams subject to instream flows and/or closures; the priority date is 1984, not 2001. The Kitsap WRIA 15 rules were adopted in 1981. WRIA 16 has no instream flow rule.

Noted and corrected.

Question/Comment #10:

Also on p. 15, the plan states that Mason County is complying with state law through “collaborative water planning”, but does not describe what this planning is or how it ensures compliance with state law, particularly as to water availability.

Noted and corrected.

Question/Comment #11:

The County also incorrectly implied that the Squaxin Island Tribe approved watershed management plans for WRIA 14 and 15. The Tribe did not approve those plans because of insufficient recommendations on protecting stream flow quantity.

Noted and corrected.

Question/Comment #12:

The plan does not explain the results of numerous tables, or the source of data used to compile them. Moreover, there are inconsistencies. Table 3 (p. 12) is entitled “Land Use Inventory in Rural Mason County.” Adding up the total acreage in each of the categories results in 456,128 acres, which exceeds the 387,300 total acres of rural lands in Table 7 as described in the Land Use chapter above.

All tables include sources of data. RCW 36.70A.070 outlines the requirements of the Rural Element. Mason County is consistent with these requirements. The County has tracked these two data sets – Assessors Data and County Zoning Data since 1996 when the Comprehensive Plan was adopted. The Methods discussion on the same page explains more about the data sets and why they differ.

Methods

By comparing two different data sets, the Assessor’s data and the County zoning data, we see a clearer picture of trends in land use. **It should be noted that the Assessor’s data and the County zoning data are two different data sets used for different purposes. While the categories are similar, the total acreage will differ. For example, the County zoning data will not include Tribal lands or Olympic National Forest, but may count some acres of water.** In order to get to a general capacity for dwelling units, parcel data was first organized by current land use in accordance with the codes as provided by the County Assessor’s Office.

Zoning district data obtained from Mason County Geographic Information Systems (GIS) was also compiled in order to determine the number of parcels and amount of acreage in each area that is currently devoted to various land uses, land use codes were grouped into broader land use categories (i.e. Residential, Commercial, Transportation, etc.). Once divided by existing land use, the zoning classification of each parcel was determined. This shows the current land use

and what its potential residential use was according to its zoning district. This type of calculation and analysis was conducted for each of the districts and zones.

Question/Comment #13:

Additionally, Table 3 shows that of the County's total rural acreage devoted to "Residential" is 40,201 acres, or 8.8% of the total rural acreage. Of this, 90% is "Improved" acreage, defined as having a building value greater than \$20,000. There is no accompanying explanation. Does this mean that 90% of the rural acreage already has houses so that only 10% remains available for new houses? If so, this doesn't jive with Table 4 (see below). And, where is this buildable acreage located? Also in Table 3, is potential residential use planned on acreage categories labelled "Forest/Water", "Vacant" or "Agriculture/Aquaculture"? This should be made clear and also supply maps that indicate where the development will occur.

Improved land is a classification system used by the County Assessor. This may include wells and on-site septics, dwellings, out buildings, roads, etc..

Zoning, parcel maps, and many other maps are downloadable from the Mason County website: <https://www.co.mason.wa.us/gis/data.php>

We also make much of this data available through the new Planning Map Library interactive webtool at: <https://gis.co.mason.wa.us/planning/>

Question/Comment #14:

The Tribe also asks that the County supply the Arc GIS geodatabase or attribute table that is the source of Table 3.

Zoning, parcel maps, and many other maps are downloadable from the Mason County website: <https://www.co.mason.wa.us/gis/data.php>

We also make much of this data available through the new Planning Map Library interactive webtool at: <https://gis.co.mason.wa.us/planning/>

Question/Comment #15:

Table 4 on p. 14 is entitled "Rural Land Capacity Summary" and shows current and potential residential use according to its zoning district. This table shows a total of 586,402 acres. This is inconsistent with the acreage information described above. Please explain how this table relates to Table 3 on the preceding page. We are similarly puzzled about what Table 4 indicates. It appears to say that a total of 61,854 people can be accommodated on the County's rural lands. The Tribe reiterates its requests that the plan show potential dwelling units spatially in an Arc GIS layer, and then using critical areas along with other information as GIS overlays, forecast more specifically where expected dwelling units will be located.

Methods

By comparing two different data sets, the Assessor’s data (shown in Table 3) and the County zoning data (shown in Table 4), we see a clearer picture of trends in land use. It should be noted that the Assessor’s data and the County zoning data are two different data sets used for different purposes. While the categories are similar, the total acreage will differ. For example, the County zoning data will not include Tribal lands or Olympic National Forest, but may count some acres of water. In order to get to a general capacity for dwelling units, parcel data was first organized by current land use in accordance with the codes as provided by the County Assessor’s Office.

Zoning district data obtained from Mason County Geographic Information Systems (GIS) was also compiled in order to determine the number of parcels and amount of acreage in each area that is currently devoted to various land uses, land use codes were grouped into broader land use categories (i.e. Residential, Commercial, Transportation, etc.). Once divided by existing land use, the zoning classification of each parcel was determined. **This shows the current land use and what its potential residential use was according to its zoning district. This type of calculation and analysis was conducted for each of the districts and zones.**

Table 1. Land Use Inventory in Rural Mason County (Acres)

Land use	Total Acres	Percent Total	Improved (building value >\$20k)	Percent Total	Unimproved (building value <\$20k)	Percent Total	Total Acres 2005	Percent Change
Forest/Water	276,848	60.70%	5,051	2%	271,796	98%	353,676	-22%
Vacant	111,912	24.50%	4,813	4%	107,099	96%	52,656	112%
Residential	40,201	8.80%	36,008	90%	4,193	10%	33,137	21%
Government	8,638	1.90%	1,910	22%	6,728	78%	na	
Agriculture/ Aquaculture	7,633	1.70%	3,260	43%	4,373	57%	9,845	-22%
Commercial	4,361	1.00%	3,192	73%	1,169	27%	3,538	23%
Transportation	2,440	0.50%	502	21%	1,938	79%	2,368	3%
Utilities	1,980	0.40%	461	23%	1,519	77%	2,079	-5%
Parks	1,968	0.40%	832	42%	1,136	58%	na	
Mining	147	0.03%	43	29%	104	71%	152	-3%

Source: Mason County Assessor’s Office, 2016

Table 2. Rural Land Capacity Summary

Zone	Total Acres	Total Undeveloped Acres	Dwelling Units/Acre	Potential Units	Times 2.5 persons/unit
Inholding Lands	13,474	10,364	1/5	2,073	5,172
Rural Residential 2.5	976	527	1/2.5	211	527
Rural Residential 5	107,283	68,471	1/5	13,694	34,236
Rural Residential 10	35,875	32,974	1/10	3,297	8,244
Rural Residential 20	114,206	108,374	1/20	5,419	13,547
Agricultural Resource	7,019	4,205			
Long Term Commercial Forest	301,430	297,540			
Rural Tourist	4,457	1,658			
Rural Tourist Campground	372	256			
Rural Commercial 1	59	7			
Rural Commercial 2	110	46	1/lot	25	63
Rural Commercial 3	139	22	1/lot	26	65
Rural Commercial 5	17	0			
Rural Industrial	309	69			
Rural Natural Resource	676	367			
Totals	586,402	524,880		24,745	61,854

Source: Mason County GIS Data, 2016

Question/Comment #16:

Chapter 7: Utilities Element. On p. 24, the plan erroneously states that water conservation, recycling and reuse is becoming more important due to “increases in . . . regulations requiring greater flows for streams, which reduces irrigation sources.” Instream flows for WRIs 13 and 14 have been in place since the 1980’s, so there is no “increase” in instream flow regulations. Moreover, these senior instream flows limit all junior uses, not only irrigation.

This point is noted. No changes made. In context, this is one point among a list of general reasons why counties in the State are increasing water conservation, wastewater recycling and reuse. See content of this section below...

A. Projecting Water Demand

Table 6. shows an estimate of current and water consumption. Estimating demand for water is more complex than other utilities as we know much less about the amount of water in ground water stores and have a limited ability to estimate potential impacts of water conservation, recycling, reuse and recharge. A collaborative study is necessary to help the County and partner agencies learn more about future supply and demand.

System-level Impacts of Recharge

Water conservation, wastewater recycling, and reuse is becoming more important due to increases in:

- Demand on potable water resources,
- The cost of treating wastewater,
- Regulations requiring greater flows for streams and rivers, which reduces irrigation sources, and
- The demand for sustainable building options.

By design, on-site sewage systems, also known as septic systems, naturally recycle wastewater by recharging ground water. To ensure on-site sewage systems are treating waste

Table 3. Mason County Water Demand 2016

Source	2016	
	2016 Gallons per Year (millions)	2016 Connections
Group A Systems	2100	24,000
Group B Systems	930	3,000
Exempt Wells	790	11,000
TOTALS	3,820	38,000

Source: PUD No.1, Washington State Department of Health, and Mason County

effectively and not polluting the ground water, there must be a strong commitment to regular and ongoing monitoring to ensure these systems are working properly.

Under existing Washington State Law, several types of water conservation, recycling and reuse are currently permitted and regulated as shown in Table 7. However, additional State policy innovation and flexibility for Washington Counties promoting water

conservation, recycling and reuse will be critical over the 20 year planning horizon in order to support projected growth and development in the way Mason County envisions, a way that maintains rural character, quality of life, and unique natural environment.

Question/Comment #17:

On p. 19, the plan describes the number of Group A, B and exempt wells, and amount of water they consume. What is the County's definition of an exempt well? Many Group B wells are permit-exempt. Moreover, 1,490 permit-exempt wells appears too small for the entire County based on the Tribe's experience. Please share the data from which you generated these numbers and where the wells are located. For purposes of determining water availability, the comprehensive plan should show the location of these existing wells. Information on well locations and depths is needed for groundwater modeling.

The definitions of terms in WAC 246-290, WAC 246-291, RCW 90.03, RCW 90.44 are adopted in Mason County Code, Title 6. The sources for this data are Washington State Department of Health and Washington State Department of Ecology. Washington State Department of Ecology also makes a map of well logs publicly available.

Question/Comment #18:

Table 4 (p. 22) shows a predicted need for 8,000 additional housing units between 2016-2036, a 30% increase. The plan should show where those housing units will be placed.

Washington State Office of Financial Management makes estimates for projected growth in housing units by jurisdiction and for small areas like Allyn, Belfair, Shelton UGA. Trying to specifically identify where housing units will be placed would require a lot of additional study and data that we do not currently have. Mason County is not able to conduct a study of this nature at this time due to budget constraints. While Mason County is not one of the jurisdictions required to produce a buildable lands report, we have done analysis to attempt to quantify some of these performance measures. You referenced Table 14 in the Land Use element – this is a further breakdown.

Question/Comment #19:

Table 6 is entitled "Mason County Water Demand 2016-2036", but only shows water use (gpd) and number of connections for 2016 broken down by Group A, Group B and permit-exempt wells. There is no projected demand through 2036. Additionally, the plan should indicate the source data, and how many Group B wells are permit-exempt.

Noted and correction made to table heading. Unlike many of the other data sets in the Plan, a straight-line projection for water connections is not likely to be a solid planning resources and we do not have adequate data to forecast at this time, we also see new technology and other advances in groundwater recharge impacting any forecast. As noted in this section and explained throughout this response letter, Mason County continues to develop information related to water demand and availability. In 2018 Mason County will conduct a Comprehensive Water Plan that will help to provide a better foundation for planning and development. Note: Source data is provided for all tables.

Question/Comment #20:

On P. 24, the plan makes the same statement about septic systems as described in Chapter 1 above; the Tribe reiterates its comment.

Mason County agrees that a robust and fully staffed water quality sampling program is critical and has in the past six months hired new staff and committed additional resources to this effort. We do not believe on-site septic systems to be the solution to water recycling, but see it as one of many parts of a larger system. In short, we agree with your comment, and believe this paragraph to be consistent with your comment. If you would like to suggest specific wording revisions, we would be interested in understanding what particular language was offensive.

Chapter 6.68 – MASON COUNTY WATER ADEQUACY REGULATIONS

Sections:

- 6.68.010 - Purpose.
- 6.68.020 - Scope of coverage.
- 6.68.030 - Definitions.
- 6.68.040 - Determination of adequacy for building permits.
- 6.68.050 - Determination of adequacy for division of land.
- 6.68.060 - Waiver of regulations.
- 6.68.070 - Appeals.

6.68.010 - Purpose.

- (a) The purpose of these rules is to define basic water adequacy in accordance with ~~Section 63, Section 51, and Section 52~~ of the Growth Management Act (RCW 36.70A) for new construction and to each lot in a proposed subdivision or a short subdivision prior to approval.
- (b) It is the express purpose of this chapter to provide for and promote the health, safety and welfare of the general public, and not create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefitted by the terms of this chapter.

6.68.020 - Scope of coverage.

- (a) The provisions of this chapter shall apply to all territories contained within the jurisdictional boundaries of the Mason County department of health services. The provisions of these rules and regulations shall apply to all new residences, places of business, or other buildings or places where persons congregate, reside or are employed which requires potable water and to land segregation regulated under Title 16 of this code.
- (b) Any building necessitating potable water shall provide proof of potable water as delineated in this code and approved the health services director or designee(s) prior to issuance of the permit. Exemptions to this code are listed as follows:
 - (1) Buildings identified by the building official which do not require potable water facilities;
 - (2) Improvements, replacement structures, or additions to buildings which already contain potable water and will not result in increased water usage;
 - ~~(3) Replacement structures that are similar or in-kind; and~~
 - ~~(4) Replacement structures for mobile home parks or recreational parks.~~

6.68.030 - Definitions.

The definitions of terms in WAC 246-290, WAC 246-291, RCW 90.03, RCW 90.44, and Title 16 of this code are adopted and incorporated by reference.

6.68.040 - Determination of adequacy for building permits.

(a) Group B or Two-Party Public Water Systems.

- (1) Prior to issuance of a building permit, the water system manager provides, in writing, verification that the water system is able and willing to provide water to the new connection and that doing so will not exceed limits imposed upon the system by any state and local regulation. Verification in writing will be accomplished by signing a statement on an application form; and
- (2) Upon receipt of the application, the Group B public water system file is reviewed for the following:
 - (A) Quality.
 - (i) Public water sources must meet all the standards set forth by state regulation and be current on monitoring requirements.
 - (ii) In areas of water quality concern, water quality may be required to be further evaluated for any or all of the following:
 - A. Primary contaminants,
 - B. Secondary contaminants,
 - C. Volatile organic compounds (VOC), and/or
 - D. Synthetic organic compounds (SOC).
 - (B) Quantity. The minimum quantity of available water supply shall be eight hundred gallons per connection per day and a pumping rate of one gallon per minute per connection.
 - (C) Compliance.
 - (i) Water systems must be in compliance with state and local design and construction requirements and with on-going requirements set forth by state regulation.
 - (ii) Source wells must be constructed according to the requirements set forth by WAC 173-160. Proper permitting and notification to state and local departments shall be adhered to.
 - (iii) A water right permit or certificate of surface water right shall be obtained from the Washington State Department of Ecology where required by RCW 90.03 and 90.44.

(b) Group A Public Water Systems.

- (1) Prior to issuance of a building permit, the water system manager provides, in writing, verification that the water system is able and willing to provide water to the new connection and that doing so will not exceed limits imposed upon the system by any state and local regulation. Verification in writing will be accomplished by signing a statement on an application form; and
- (2) Upon receipt of the application form, the Washington State Department of Health is consulted and the Washington State Department of Health determines that the water system is adequate.

(c) Individual Sources.

- (1) Prior to issuance of the building permit, a copy of the water well report, a satisfactory bacteriological report, and a capacity test is attached to the application; and
- (2) Upon receipt of the application, documentation will be reviewed for the following:
 - (A) Quality.
 - (i) A satisfactory bacteriological analysis is required.
 - (ii) In areas of water quality concern, the same requirements apply as described in subsection (a)(2)(A)(ii) of this section.

- (B) Quantity. The same requirements apply as described in subsection (a)(2)(B) with the exception that appropriate conservation in conjunction with adequate storage measures may be used to justify a daily volume of less than eight hundred gallons.
 - (C) Compliance. The same requirements apply as described in subsections (a)(2)(C)(i) and (ii) and assurance that the water source will not interfere with existing water rights;
- (3) A surface water source will be determined to be adequate or issuance of a building permit upon receipt of a copy of the certificate of surface water right and evidence of an appropriate disinfection method is attached to the application.

6.68.050 - Determination of adequacy for division of land.

(a) Group B or Two-Party Public Water Systems.

(1) New Water System.

- (A) The water system is completely installed and meets all state and local regulations; or
- (B) Moneys, under the name of Mason County health services, totaling one hundred thirty-five percent of a bid obtained from an appropriate contractor for the entire cost of drilling the well, obtaining approvals, and installing the system, is placed either into an escrow account or a bond to secure completion of the work after the well site location is passed.

(2) Existing Water System. The same requirements apply as described in subsection 6.68.040(a).

(b) Group A Public Water System. The same requirements apply as described in subsection 6.68.040(b).

(c) Individual Water Sources.

(1) Individual water sources will be adequate for land division when the lots meet the sizing criteria in WAC 246-272-20501. The following disclaimer shall be placed on the face of the plat when potable water is not available for each parcel at the time of subdivision approval:

~~"The lots, parcels or tracts contained within this land segregation have been created **without after** establishing a potable water supply **meeting all state and local regulations.**" **No building permit necessitating potable water will be issued without first satisfying potable water requirements as required by the Mason County Health Services Director.**"~~

(2) In areas where a water quantity or quality problem may exist, the following may be required:

- (A) Well logs of adjacent properties;
- (B) One or more well drilled;
- (C) Water study by a qualified hydrogeologist.

~~**6.68.060 - Waiver of regulations.**~~

~~Whenever a strict interpretation of this chapter would result in extreme hardship, the director of health services may waive such regulations or portion thereof, provided, that the waiver is consistent with the intent of this chapter and that no public health hazard will result.~~

6.68.070 - Appeals.

Decisions of the director of health services may be appealed to the Mason County board of health. Appeals must be made in writing within twenty working days of the decision which is being disputed. A hearing date shall be scheduled with the board for their next regular meeting. All appeals shall be sent to the board in writing via certified mail with return receipt requested.



MASON COUNTY COMMUNITY SERVICES

Building, Planning, Environmental Health, Community Health

DRAFT MEMORANDUM OF AGREEMENT

Date: XXXXXX

From: Mason County Board of County Commissioners

David Windom, Director, Mason County Community Services Division

Subject: Water Mitigation Planning

To: Sharon Hensley, Attorney, Squaxin Island Legal Department

PARTIES

This is an agreement between the Squaxin Island Tribal Nation and Mason County, Washington.

PURPOSE

This Memorandum establishes a good faith agreement between the PARTIES to collaborate on water mitigation planning studies for Mason County.

BACKGROUND

In Mason County, groundwater and surface water may be connected in places. Mason County Government, ensures that water is both legally and physically available for buildings and subdivisions. The County is working proactively with the Tribal Nations, Washington State Department of Ecology, public utility districts, home owners associations and others with interest and expertise to serve development without interfering with basin closures or senior water rights.

Where water is regulated for domestic use under the State's Groundwater Permit Exemption (RCW 90.44.050) for new year-round water supply, the County is using best available science and proven mitigation strategies. These strategies include pervious surfaces and Low Impact Development features already commonly included in both residential and commercial developments in compliance with the 2012 Stormwater Manual for Western Washington and consistent with the Comprehensive Plan Update. Additionally, available water reserves are being evaluated along with innovative water storage and recharge options.

Both PARTIES, Mason County and the Squaxin Island Tribal Nation, are working proactively to support cost effective development while protecting water quality and in-stream flows. (SEE **Mason County Mitigation Planning Map Attached**)

GUIDING PRINCIPLES

- (1) Provide for protection of the quality and quantity of groundwater used for public and private water supplies (RCW 36.70A.070(1))
- (2) Include measures that apply to rural development and protect the rural character of the area, as established by the county, by:...protecting critical areas... and surface water and groundwater resources (RCW 36.70A.070(5)(c)(iv))
- (3) Where water is regulated for domestic use under the State's Groundwater Permit Exemption (RCW 90.44.050) for new year-round water supply, use best available science and proven mitigation strategies.

GOALS AND OBJECTIVES

The primary goal of this alliance is to pool very limited resources to maximize benefit for all residents of Mason County by developing a better understanding of water quality and water availability. It is the shared desire of the PARTIES to support cost effective, sustainable development while protecting water quality and in-stream flows throughout Mason County.

COMMITMENTS

1. The PARTIES agree to share in the expenses of developing new and improved data related to water quality and availability.
2. The PARTIES agree to share information gathered through independent efforts to improve data related to water quality and availability.
3. Each PARTY shall designate a representative to serve as the primary contact for communications related to matters associated with this Memorandum.
4. Mason County representative shall be the Director of Community Services and Squaxin Island Tribal Nation representative shall be XXXXXX (Sharon?).
5. The PARTIES request a quarterly update of progress made by the alliance created in the Memorandum of Agreement toward achieving the GOALS AND OBJECTIVES under the GUIDING PRINCIPLES.
6. The PARTIES agree that areas designated as non-regulated under the State Groundwater Permit (RCW 90.44.050) are areas where development can proceed in accordance with Mason County Code and compliance with other state and federal regulations.
7. The PARTIES agree that areas regulated under the State Groundwater Permit (RCW 90.44.050) are areas where the PARTIES will focus efforts to improve data; focus application of best available data; and focus water mitigation planning efforts.

TERMS

Signatory parties are required to give 90 days advance notice of their intent to withdraw from the alliance. At this time the term of this Memorandum of Agreement is open-ended and will remain so until either of the signatory parties decide to terminate the partnership>

Squaxin Island Tribal Nation

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Kevin Shutty, Chair

Terri Drexler, Commissioner

Randy Neatherlin, Commissioner

September 18, 2017

Mason County Planning Advisory Commission

426 W. Cedar St.

Shelton WA 98584

Re: Comprehensive Plan update including Capital Facilities Element and Comprehensive Plan Amendments- Public Comment.

Mr. Thomas and Planning Advisory Commission members,

This is my public testimony regarding the Public hearing, agenda item #4; and I would respectfully ask that this be considered before making any recommendations to the BOCC.

I am uncertain that the "public" is aware of what the Amendments are as one cannot easily determine from looking at the agenda! The links on the website are extremely difficult and frustrating to navigate.

Only with help from Ms Watson this afternoon was I able to navigate to the proper documents.

It is my understanding at the last Planning Commission meet on August 28th that there was a "work session" about the Amendments between County staff and the PAC. Those amendments were the Neil and Padden requests as well as first time discussion about "open space" and a "new" matrix for a public benefit rating system. Again the public has an extremely hard time locating these supporting documents on the County website.

I am concerned about proper public notification and transparency of all these amendments. I would like to go on record that neither the Neil or Padden property has been posted with notice of this public hearing this evening. I don't believe any of the adjoining property owners have been notified either.

Regarding the Public Benefit Rating System, (PBRS), for "open space" I have attached an email exchange between myself and Commissioner Shutty. Please table further discussions and recommendations regarding PBRS until all potentially affected parcel owners can be notified. I would also like to request that supporting documentation and/or reports from County staff, regarding there being "too much" open space, be provided to the PAC and public before those further discussions and recommendations.

(Attached)

Regarding the 458 page "draft" Comprehensive Plan, I have had little time to review having only recently found it on website. After my brief review I have many things that I would like to discuss but several that I feel I should bring to your immediate attention.

Chapter 3, Transportation, page 56. Belfair Sub-Area Plan update.

I don't think anyone expects, "what will be several years of major traffic disruption caused by Bypass construction activities". Sentence should be deleted and sub area plan update should be rewritten.

Chapter 6, Capital Facilities Plan, page 20. Parks

Both the 2003 Belfair sub-area plan and the 2016 Port of Allyn Comprehensive Scheme address the need for a North Mason regional park, ball fields. I think these plans and obvious need should be included and referenced in the Counties Capital Facilities Plan.

Chapter 12, Implementation, Page 9 Comprehensive plan amendments,

The PAC should review and discuss as the process described appears to eliminate the PACS involvement.

Chapter 12, Implementation, Page 10 Periodic Urban Growth Area Review.

I feel this is extremely important and I have repeatedly asked the BOCC and PAC to recommend the reestablishment of a Belfair sub area planning group.

In conclusion I feel I and the public have not had adequate time to review the document in its entirety. I have much more to comment on and look forward to future public hearings on these important matters.


Ken VanBuskirk

61 NE Davis Farm Road

Belfair, Washington 98528

Ken VanBuskirk

From: "Kevin Shutty" <KShutty@co.mason.wa.us>
To: "Paula Reeves" <PReves@co.mason.wa.us>; "Ken VanBuskirk" <kenvanb@gmail.com>
Sent: Thursday, August 31, 2017 11:08 AM
Subject: Re: Development Regulation Amendment-Public Benefit Rating system for open space

Hi Ken,

Good to see you the other night up in Belfair.

I'll let Paula provide some additional feedback on your questions but wanted to give you a little background from my perspective. The conversation about a PBRS began a number of years ago, I'm thinking around 2004-6 and perhaps even earlier. At that time, a committee was formed and a number of meetings were had regarding implementing it, however nothing ever got off the ground.

When I was elected Chair of the BOCC in January, one of my priorities was to have a Commission Retreat to establish a work plan for 2017 that incorporated priorities from each commissioner. Commissioner Drexler brought forward looking at a PBRS again and so it was added to the work plan. It wasn't until this summer that we had the first conversation with Community Development staff and the Assessor, which was mainly a look back at the previous efforts. It was a very 30k foot-level discussion with the hope of revisiting later in the year.

If I have learned anything from both the previous work and the most recent conversations its that this is not a policy that can - or should - be implemented overnight. To that end, we still have much more work to do and I for one don't see anything being adopted without additional input from the community, in particular those who are already in the open space program.

I look forward to continuing the conversation with staff, the Assessor and the community.

Keep in touch,

-Kevin

Kevin Shutty
 Commissioner, Dist. 2
 Office: 360-427-9670 Ext. 419
 Cell: 360-490-5698

>>> "Ken VanBuskirk" <kenvanb@gmail.com> 8/31/2017 10:55 AM >>>

>

Paula thanks for taking my phone call yesterday. I'm doing a little more research and I would like a little more clarification. Can you tell me **who** proposed this new section regarding the public benefit rating system and the supporting data that there is **too much** land in "open space". Personally I don't think there is "too much" open space and I think its a rather late in the year to be submitting a brand new development regulation with a complicated matrix like the one proposed. I think it should be tabled until the comp plan and smp can be approved.

When people like my wife and I made the decision to put our lands in open space classification it was because we understood the value and importance of conservation and preservation of these lands, all in the path of urban development and sewer systems. We filed an application with Mr.Phil Franklin formerly of the Planning Department now with Public Works. The BOCC commissioners approved those classifications.

I think people that already have their lands in open space should not have to go through this new process if it is adopted. I also think they should be informed of this new proposal.

9/18/2017

Please keep me informed when this matter is scheduled to come before the PAC in a public meeting and I will make my comments in person. If you can provide me with the information I requested before then it would be appreciated.

Ken VanBuskirk
Belfair